

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

Board Meeting
Board Conference Room
101 N. Main Ave., **Suite 215**
Sioux Falls, SD

Unapproved Draft Minutesⁱ

Regular Board Meeting 4:00 pm (CT) Thursday, September 10, 2015

Board Members:

Kevin Bjordahl, MD, Ms. Deborah Bowman; Walter Carlson, MD; Mary Carpenter, MD; David Erickson, MD; Brent Lindbloom, DO; Mr. David Lust; Jeffrey Murray, MD

Absent: Laurie Landeen, MD

Board Staff: Margaret Hansen, PA-C; Mr. Tyler Klatt; Ms. Jane Phalen; Ms. Misty Rallis

Counsel: Craig Kennedy, Staff Counsel; William Golden, Staff counsel
James McMahon, Board counsel; Steven Blair, Board Counsel

1. Dr. Carlson, President of the Board, called the meeting to order at 4:00 pm. Roll was called and a quorum was confirmed. A motion: to approve the agenda as amended was ratified by voice vote (Murray/unanimous).
2. A motion: to approve the minutes from the June 11th Regular Board meeting and the July 21st Special Board meeting was ratified by voice vote (Murray/unanimous)
3. A motion: to approve the new licenses, permits, certificates, and registrations issued from June 1, 2015 through August 31, 2015, was ratified by voice vote (Lindbloom/unanimous).
4. Confidential Physician Hearings (Closed Session pursuant to SDCL 36-4-31.5 unless privilege is waived by physician). Board members assigned to a case are recused and do not deliberate or vote in that case (ARSD 27:78:05:05).
 - a. Dr. Annette M. Bosworth appeared before the Board pro se and waived her confidentiality privilege.
 - i. A motion: to enter into Executive Session based upon SDCL 1-25-2(3) to consult with legal counsel was ratified by a roll call vote (Murray/unanimous).
 - ii. The Public Meeting resumed. A motion: to adopt the Hearing Examiner's Findings of Fact and Conclusions of Law including the stated recommendation, and revoke Dr. Bosworth's South Dakota medical license #6055 based upon SDCL 36-4-29 and 36-4-30 (6)(22), effective ten (10) days from the date of this order was ratified a roll call vote (Murray/unanimous). Dr. Carpenter, the Board member assigned to this matter, abstained from the deliberation and the vote.
5. A motion: to instruct the Board staff to move forward with the Public Administrative Rules process and schedule a hearing was ratified by voice vote (Bjordahl/unanimous).
6. Confidential Physician Hearings (Closed Session pursuant to SDCL 36-4-31.5 unless privilege is waived by physician). Board members assigned to a case are recused and do not deliberate or vote in that case (ARSD 27:78:05:05).
 - a. Dr. Christiana M. Lietzke. A motion: to grant a six (6) month extension to March 10, 2016, for Dr. Lietzke to complete her fitness to practice evaluation at an entity approved in advance by the Board, and release the results and findings of the evaluation to the Board for consideration

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to determine whether a South Dakota medical license may be issued was ratified by a roll call vote (Erickson/unanimous). Dr. Landeen, the Board member assigned to this matter, was not present at the meeting.

- b. Dr. Robert W. Beattie. A motion: to accept the voluntary and immediate surrender of Dr. Beattie's South Dakota medical license #3623 based upon SDCL 36-4-29.1, 36-4-30(6)(22), and ARSD 20:47:08:03 effective August 13, 2015 was ratified by a roll call vote. (Erickson/unanimous). Dr. Carpenter abstained from the deliberation and the vote.
- c. Dr. Sudhir E. Finch. A motion: to approve his Stipulation and Agreement and grant the reinstatement and renewal of his South Dakota medical license #9646 and the temporary approval order was ratified by a roll call vote (Bowman/unanimous). Dr. Landeen, the Board member assigned to this matter, was not present at the meeting.
- d. Dr. Michael L. Moeller A motion: to remove the probationary conditions from his South Dakota medical license #4137 and grant him an unrestricted medical license was ratified by a roll call vote (Erickson/unanimous).
- e. Dr. Jack Leon-Max Mutnick. A motion: to approve his Stipulation and Agreement with Reprimand of his South Dakota medical license #8102 was ratified by a roll call vote (Bowman/unanimous). Dr. Landeen, the Board member assigned to this matter, was not present at the meeting.

7. A motion: to enter into Executive Session based upon SDCL 1-25-2(3) to consult with legal counsel was ratified by voice vote (Murray/unanimous). The Public Meeting resumed. A motion: to adjourn the meeting was ratified by a voice vote (Erickson/unanimous).

These unapproved draft minutes are respectfully submitted 2:00 pm (CT) on September 11, 2015 by Jane T. Phalen, Board Coordinator.

ⁱ 1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.